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Commissioner for Patents
Reply to Restriction Requirement of March 15, 2006
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Serial No. 10/809,335

REMARKS

Applicant has noted that this Restriction Requirement appears to be based on the communication (application) filed on March 26, 2004 and does not seem to have taken into account the Preliminary Amendment filed on March 28, 2005 (dated March 29, 2006 in the Image File Wrapper). The listing of claims submitted with this Response is based on the claims of the Preliminary Amendment of March 23, 2006.

Applicant elects Group I claims (claims 1-5) for further prosecution in the present application, with traverse.

Applicant asserts that claims 1-5 and claims 6-18 do belong to one invention and respectfully requests that the Examiner's Restriction Requirement be rescinded. Claims 1-5 are directed to a method of permanently attaching a lens to a frame for goggles and claims 8-18 are directed to a structural arrangement for goggles having lenses permanently attached to the frame during formation of the frame. Although the structural arrangement defined in claims 8-18 may be configured differently, the permanent attachment of the lens to the frame thereof is achieved during the formation of the frame only by the method defined in claims 1-5. Furthermore, any structural arrangement for attaching a lens to a frame of goggles using the method of claims 1-5 will not be materially different from the structural arrangement defined in claims 6-18. Therefore, neither of the conditions (MPEP 806.05(f)) stated in item 2 of this Office Action are met, and claims 1-5 and claims 6-18 do in fact belong to one invention.

This application is now considered to be in a condition for examination on its merits. Reconsideration and early action are requested.

Respectfully submitted,

By 

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